

### **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following remarks. Claims 93-96 are presently pending in this application. Applicants are amending herewith Claim 94 and canceling herewith Claims 93 and 95. Following entry of these amendments, Claims 94 and 96 will be pending. Applicants are filing contemporaneously herewith a request for continued examination. In view of the request for continued examination, applicants submit that entry of these amendments is appropriate and the Claims 94 and 96 are entitled to further examination.

#### **The Office Action:**

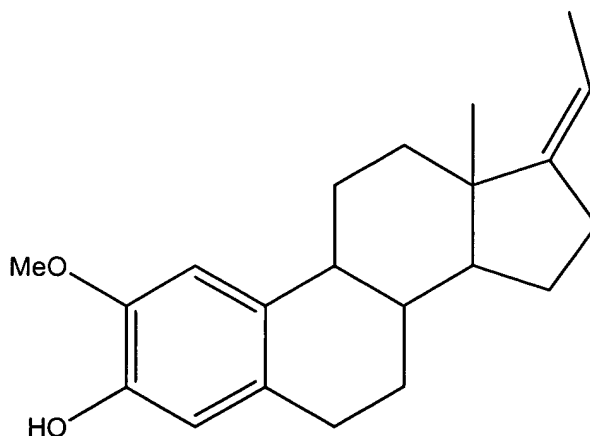
Claims 94 and 96 were rejected under 35 U.S.C. § 102(b) as being anticipated and unpatentable over Compound RN 52717-98-3 in the Chem. Abstracts CA54: 18587. Claims 93-96 were rejected under 35 U.S.C. § 103(a) as being obvious over the patent to Tanabe et al. (U.S. Patent No. 6,046,186). Applicants respectfully traverse the foregoing rejections.

#### **The Rejections Under Section 102:**

Claims 94 and 96 were rejected under 35 U.S.C. § 102(b) as being anticipated and unpatentable over Compound RN 52717-98-3 in the Chem. Abstracts CA54: 18587. Compound RN 52717-98-3 is 2-methoxy estradiol, 17-acetate. Applicants are amending herewith Claim 94 to remove -OAc from the possible substituents for Rg. Applicants submit that this amendment overcomes the present rejection of the claims in view of Chem. Abstracts CA54: 18587. In view of the foregoing, applicants respectfully submit that the rejection of Claims 94 and 96 under 35 U.S.C. § 102(b) should be withdrawn.

**The Rejections Under Section 103:**

Claims 93-96 were rejected under 35 U.S.C. § 103(a) as being obvious and unpatentable over the patent to Tanabe et al. (U.S. Patent No. 6,046,186). The rejection specifically refers to Compound 68 in Col. 49 of Tanabe et al. '186. Compound 68 has the structure shown below:

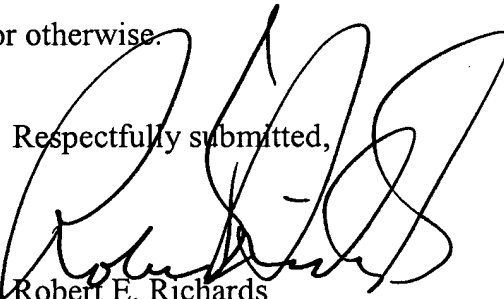


The rejection states that in view of Tanabe et al. '186, the present claims are considered obvious when Rg is =CH<sub>2</sub>, =CHCH<sub>3</sub>, or =CHCH<sub>2</sub>CH<sub>3</sub> because those compounds are considered to be homologues.

Applicants are canceling Claims 93 and 95 herewith. Applicants are amending herewith Claim 94 to remove the alkenyl groups, such that Rg is now selected from =NOH, -NH<sub>2</sub>, -CH<sub>2</sub>CH<sub>2</sub>CH<sub>3</sub>, -CH<sub>3</sub>, -NHCH<sub>2</sub>CH<sub>2</sub>CH<sub>3</sub>, -CH<sub>2</sub>CH<sub>3</sub>, =N-NH-(SO<sub>2</sub>)-C<sub>6</sub>H<sub>4</sub>-*p*-CH<sub>3</sub>, -COOH and -CH<sub>2</sub>OH. Applicants submit that this amendment complies with the examiner's objection and overcomes the present rejection of the claims in view of Tanabe et al. '186. In view of the foregoing, applicants respectfully submit that the rejection of Claims 94 and 96 under 35 U.S.C. § 103 should be withdrawn.

**Conclusion:**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and remarks. Applicants submit that all claims are in condition for allowance since they complied with all of the examiner's objections. Accordingly a Notice of Allowance is respectfully requested. Applicants further request that the Examiner call the undersigned counsel if allowance of the claims can be facilitated by examiner's amendment, telephone interview or otherwise.

Respectfully submitted,  
  
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